

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DR. DELOIS BLAKELY, BISHOP SHIRLEY  
PITTS, MS. MARGARET CALLENDER

Plaintiff(s)

Vs.

NEW YORK CITY CORPORATION COUNSEL,  
MICHAEL A. CORDOZO; NEW YORK CITY  
CORPORATION ASSISTANT COUNSEL,  
LESLIE SPITALNICK; 100 CHURCH STREET,  
NY, NY 10007; MARTHA E. STARK, NY CITY  
COMMISSIONER OF FINANCE, 66 JOHN  
STREET, 3<sup>RD</sup> FLOOR, NEW YORK, NY 10038;  
SHAUN DONOVAN, NY CITY HPD  
COMMISSIONER THE CITY OF NEW YORK  
DEPARTMENT OF HOUSING PRESERVATION  
& DEVELOPMENT HPD, 100 GOLD STREET,  
ROOM 1R, NEW YORK, NY 10038; MYRIAM  
ELLIS, IN HER OFFICIAL CAPACITY AS HPD  
REPRESENTATIVE, 100 GOLD STREET, ROOM  
1R, NEW YORK, NY 10038; MARK MATTHEW,  
100 GOLD STREET, ROOM 1R, NEW YORK, NY  
10038

Defendant(s)

**DEFENDANTS' NOTICE OF  
MOTION**

**07 CV 3951  
(DC)**


-----X  
**PLEASE TAKE NOTICE**, that upon the Declaration of Assistant Corporation Counsel CHRISTINA L. HOGGAN, dated June 26, 2007, and the exhibits annexed thereto, and upon Defendants' Memorandum of Law, dated June 26, 2007, and upon all of the papers, pleadings, and proceedings heretofore had and filed herein, the undersigned will move this Court at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York for an order pursuant to F.R.C.P. Rule 12(b)(6) dismissing the complaint, together with such other and further relief as the Court deems just, fair and equitable.

**PLEASE TAKE FURTHER NOTICE**, pursuant to S.D.N.Y. Civ. R. 61,  
answering papers are to be served within ten business days after service of the moving papers.

Dated: New York, New York  
June 29, 2007

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for Defendants  
100 Church Street, Room 5-154  
New York, New York 10007  
(212) 788-0461

By:

  
CHRISTINA L. HOGGAN  
(CH 6877)  
Assistant Corporation Counsel

To:

DR. DELOIS BLAKELY  
477 West 142<sup>nd</sup> Street, HDFC  
New Future Foundation, Inc.  
477 West 142<sup>nd</sup> Street, Suite 2  
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MARGARET CALLENDER  
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07 CV 3951

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Plaintiff(s)	
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NEW YORK CITY CORPORATION COUNSEL, MICHAEL A. CORDOZO; NEW YORK CITY CORPORATION ASSISTANT COUNSEL, LESLIE SPITALNICK; 100 CHURCH STREET, NY, NY 10007; MARTHA E. STARK, NY CITY COMMISSIONER OF FINANCE, 66 JOHN STREET, 3 <sup>RD</sup> FLOOR, NEW YORK, NY 10038; SHAUN DONOVAN, NY CITY HPD COMMISSIONER THE CITY OF NEW YORK DEPARTMENT OF HOUSING PRESERVATION & DEVELOPMENT HPD, 100 GOLD STREET, ROOM 1R, NEW YORK, NY 10038; MYRIAM ELLIS, IN HER OFFICIAL CAPACITY AS HPD REPRESENTATIVE, 100 GOLD STREET, ROOM 1R, NEW YORK, NY 10038; MARK MATTHEW, 100 GOLD STREET, ROOM 1R, NEW YORK, NY 10038	
	Defendant(s)
<b>DEFENDANTS' NOTICE OF MOTION</b>	
<b>MICHAEL A. CARDOZO</b> <i>Corporation Counsel of the City of New York</i> <i>Attorney for Defendants</i> <i>100 Church Street</i> <i>New York, N.Y. 10007</i> <i>Of Counsel: Christina L. Hoggan</i> <i>Tel: (212) 788-0461</i> <i>NYCLIS No.</i>	
Due and timely service is hereby admitted.	
New York, N.Y.	200 . . .
Esq.	
Attorney for . . .	